IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 3909 of 1995

Between:

1 K. Venkata Swamy S/o Babanna
R/o Vaddivaripalle, H/o Mukkendlavaripalli,
O.D. Cheruvu (M), Ananthapur Dist.
2 Vaddi Chinna Rangappa S/o Venkatappa
R/o Vaddivaripalle, H/o Mukkendlavaripalli,
O.D. Cheruvu (M), Ananthapur Dist.

..... PETITIONERS

AND

1 Commissioner of Land Revenue
A.P., Hyderabad
2 Joint Collector, Ananthapur,
Ananthapur Dist.
3 Revenue Divisional Officer
Penukonda, Ananthapur Dist.
4 Mandal Revenue Officer
O.D. Cheruvu (M), Ananthapur Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, preferably one in the nature of writ mandamus declaring the impugned order of the 1st Respondent dt: 6-1-1995 in C.L.R's Ref.BCW2/1127/93, confirmed the order of the 2nd Respondent dt: 1-6-1993 and that of the 3rd Respondent dt: 12-11-1988, as illegal, arbitrary and contrary to law, and further direct the 4th Respondent herein to assign the said land in question in favour of the petitioners herein as per law;.

Counsel for the Petitioners:MR.E.MARUTHI RAJA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

-

-

ORDER:

None appears for the petitioners, nor there is any representation on their behalf.

Heard the learned Government Pleader for Revenue, appearing on behalf of the respondents.

Though the petitioners sought to make claim as they are in joint possession and enjoyment of the land in question i.e., land in S.No.113 to an extent of Ac.1.44 cents for the past more than 70 years i.e., right from their forefathers time, however it has been stated on behalf of the respondents through counter-affidavit that the petitioners' claim is totally farce one and further land has already been assigned in favour of the assignees. Having regard to the same, petitioners are not in possession.

In view of the above, I do not find any merits in the Writ Petition. The Writ Petition is, accordingly, dismissed. No costs.

_____

B.PRAKASH RAO, J.

Dated 23-09-2004.

SKMR

To

1 Commissioner of Land Revenue

A.P., Hyderabad
2 Joint Collector, Ananthapur,
Ananthapur Dist.
3 Revenue Divisional Officer
Penukonda, Ananthapur Dist.
4 Mandal Revenue Officer
O.D. Cheruvu (M), Ananthapur Dist.

5. 2CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

6. 2CD copies